Executive Summary – Enforcement Matter – Case No. 49958 CRESCENT NJK CORPORATION dba Grapevine Cleaners RN104091574 Docket No. 2015-0147-MLM-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

MLM - DCL, IHW

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Grapevine Cleaners, 1140 South Main Street, Grapevine, Tarrant County

Type of Operation:

Dry cleaning facility

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: The complainant has expressed an interest in this

matter but does not wish to speak at Agenda.

Texas Register Publication Date: June 5, 2015

Comments Received: No

Penalty Information

Total Penalty Assessed: \$10,953

Amount Deferred for Expedited Settlement: \$2,190 **Amount Deferred for Financial Inability to Pay:** \$0

Total Paid to General Revenue: \$260 Total Due to General Revenue: \$8,503

Payment Plan: 34 payments of \$242 each and one payment of \$275

Supplemental Environmental Project ("SEP") Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Satisfactory Site/RN - Satisfactory

Major Source: No

Statutory Limit Adjustment: \$0

Applicable Penalty Policy: September 2002 and April 2014

Executive Summary – Enforcement Matter – Case No. 49958 CRESCENT NJK CORPORATION dba Grapevine Cleaners RN104091574 Docket No. 2015-0147-MLM-E

Investigation Information

Complaint Date(s): October 1, 2014

Complaint Information: Alleged the Respondent was not managing their waste

properly.

Date(s) of Investigation: October 30, 2014

Date(s) of NOE(s): January 9, 2015

Violation Information

- 1. Failed to renew the Facility's registration by completing and submitting the required registration form to the TCEQ for a dry cleaning facility. Specifically, the Facility's registration certificate expired May 11, 2011 [30 Tex. Admin. Code § 337.11(e) and Tex. Health & Safety Code § 374.102].
- 2. Failed to install a dike or other secondary containment structure around each dry cleaning unit and around each storage area for dry cleaning solvents, dry cleaning waste, or dry cleaning wastewater. Specifically, the Respondent did not have secondary containment for one 55-gallon waste drum, three 5-gallon waste containers and one 5-gallon dry cleaning wastewater container [30 Tex. Admin. Code § 337.20(e)(3)(A)].
- 3. Failed to maintain dry cleaner records for a minimum of five years. Specifically, the Respondent did not maintain documentation of dry cleaning solvent purchase records and waste disposal manifests [30 Tex. Admin. Code §§ 337.70(a) and (b) and 337.72(1) and (2)].
- 4. Failed to obtain a valid, current TCEQ registration certificate prior to receiving/purchasing dry cleaning solvents. Specifically, the Respondent received one solvent delivery without having a valid registration certificate on November 29, 2012 [30 Tex. Admin. Code § 337.4(h)].
- 5. Failed to conduct weekly inspections of each secondary containment structure [30 Tex. Admin. Code § 337.20(e)(6)].
- 6. Failed to conduct a hazardous waste determination. Specifically, a hazardous waste determination was not conducted on a 55-gallon drum located at the rear exterior perimeter of the Facility [30 Tex. Admin. Code §§ 335.62 and 335.504 and 40 Code of Federal Regulations § 262.11].

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Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the following corrective measures:

- a. Renewed the Facility's dry cleaner registration on November 5, 2014;
- b. Installed secondary containment around the 55-gallon waste drum and the 5-gallon wastewater container on November 16, 2014 and the three 5-gallon waste containers on February 13, 2015;
- c. Submitted documentation of the hazardous waste determination for the 55-gallon drum on February 12, 2015; and
- d. Submitted corrected secondary containment inspection logs on February 13, 2015.

Technical Requirements:

The Order will require the Respondent to:

- a. Within 30 days, begin maintaining the required dry cleaner facility records; and
- b. Within 45 days, submit written certification to demonstrate compliance with a.

Litigation Information

Date Petition(s) Filed: N/A Date Answer(s) Filed: N/A SOAH Referral Date: N/A Hearing Date(s): N/A Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Margarita Dennis, Enforcement Division,

Enforcement Team 7, MC R-04, (817) 588-5892; Candy Garrett, Enforcement Division,

MC 219, (512) 239-1456

TCEO SEP Coordinator: N/A

Respondent: Naheed Dharani, Manager/Owner, Grapevine Cleaners, 1140 South

Main Street, Grapevine, Texas 76051 **Respondent's Attorney:** N/A

Policy Revision 2 (Se	Penalty Calculatio	n Worksheet (PC	•	on October 30, 2008
TCEQ				
DATES Assigned PCW	12-Jan-2015 31-Jul-2015 Screening 20-Jan-2015	EPA Due		
RESPONDENT/FACILI				
	CRESCENT NJK CORPORATION dba Grapevir	ne Cleaners		
Reg. Ent. Ref. No. Facility/Site Region		Major/Minor Source	Minor	
raciity/ Site Region	4-Dalias/Fort Worth	Major/Millor Source	[MIIIOI	
CASE INFORMATION			·····	
Enf./Case ID No.		No. of Violations		:
	2015-0147-MLM-E	Order Type		:
Media Program(s)		Government/Non-Profit		
Multi-Media	Industrial and Hazardous Waste	Enf. Coordinator	Enforcement Tean	n 7
Admin. Penalty \$ 1	imit Minimum \$0 Maximum	\$50 Violation Max		\$5,000
	Penalty Calcula	tion Section		
TOTAL BASE PENA	LTY (Sum of violation base penal		Subtotal 1	\$6,370
ADJUSTMENTS (+	/-) TO SUBTOTAL 1			
Subtotals 2-7 are ob	tained by multiplying the Total Base Penalty (Subtotal 1	l) by the indicated percentage.	e e e e e e e e e e e e e e e e e e e	
Compliance Hi	story 0.0%	Enhancement Subto	tals 2, 3, & 7	\$0
Notes	No adjustment for complia	nce history.		
Culpability	No 0.0%	Enhancement	Subtotal 4	\$0
Notes	The Respondent does not meet the	e culpability criteria.		
Good Faith Eff	ort to Comply Total Adjustments		Subtotal 5	-\$1,592
	·		-	
Economic Bene		Enhancement* ed at the Total EB \$ Amount	Subtotal 6	\$0
Estimated	Total EB Amounts \$567 *Cappe Cost of Compliance \$3,250	a at the rotal Lb \$ Amount		
SUM OF SUBTOTAL	LS 1-7: [1] (1) 共計(1) (1)		inal Subtotal	\$4,778
OTHER FACTORS A	AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
	Subtotal by the indicated percentage.	harmonia de la companya de la compa		·
Notes				
	· · · · · · · · · · · · · · · · · · ·	Final Pen	alty Amount	\$4,778
		i iliai Peli	arry Amount	44,770
STATUTORY LIMIT	ADJUSTMENT	Final Asses	ssed Penalty	\$4,778
DEFERRAL Reduces the Final Assessed Pe	nalty by the indicated percentage. (Enter number only, e.g	20.0% Reduction 20 for 20% reduction.)	Adjustment	-\$955
Notes	Deferral offered for expedite	d settlement.		
Į.				

PAYABLE PENALTY

\$3,823

Docket No. 2015-0147-MLM-E

Policy Revision 2 (September 2002) PCW Revision October 30, 2008

PCW

Respondent CRESCENT NJK CORPORATION dba Grapevine Cleaners

Case ID No. 49958

Reg. Ent. Reference No. RN104091574
Media [Statute] Dry Cleaner
Enf. Coordinator Allyson Plantz

Compliance History Worksheet

	Component	ry Site Enhancement (Subtotal 2) Number of	Enter Number Here	Adjust.
	NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
		Other written NOVs	0	0%
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
	Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
	Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
	Emissions	Chronic excessive emissions events (number of events)	0	0%
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	. 0	0%
	Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
,		Ple	ase Enter Yes or No	
		Environmental management systems in place for one year or more	No	0%
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
		Participation in a voluntary pollution reduction program	No	0%
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
		Adjustment Per	centage (Subt	otal 2)
ер	eat Violator (Subtotal 3)		
[No	Adjustment Per	centage (Subt	otal 3)
on	ipliance Histo	ry Person Classification (Subtotal 7)		
[Satisfactory	Performer Adjustment Per	centage (Subt	otal 7)
om	ipliance Histo	ry Summary		
	Compliance History	No adjustment for compliance history.		
	Notes			

Screening Date Respondent	20-Jan-2015 CRESCENT NJK CORPORATION	Docket No. 2015-0147-MLM-E ON dba Grapevine Cleaners	PCW Policy Revision 2 (September 2002)
Case ID No. Reg. Ent. Reference No. Media [Statute] Enf. Coordinator Violation Number	RN104091574 Dry Cleaner		PCW Revision October 30, 2008
Rule Cite(s)	30 Tex. Admin. Code § 3	37.11(e) and Tex. Health & Safety Code § 37	4.102
Violation Description	registration form to the TCE	registration by completing and submitting th EQ for a dry cleaning facility. Specifically, the on certificate expired May 11, 2011.	
		Bas	e Penalty \$50
>> Environmental, Prope	Harm		
OR Release Actual Potential	Major Moderate	Minor Percent 0%	
>>Programmatic Matrix			
Falsification	Major Moderate x	Minor Percent 10%	
Matrix Notes	100% of the rule	e requirement was not met.	
		Adjustment	\$45
			\$5
Violation Events			
Number of V	fiolation Events 1274 daily x	1274 Number of violation	days
: mark only one	weekly		- "
with an x	quarterly semiannual annual single event	Violation Base	Penalty \$6,370
One thousan		laily events are recommended from the May :	11 2011
		the November 5, 2014 compliance date.	
Good Faith Efforts to Com	25.0% Before NOV	NOV to EDPRP/Settlement Offer	Reduction \$1,592
	Extraordinary X		
	N/A The Respond	(mark with x) dent came into compliance on November 5, e the Notice of Enforcement dated Jaṇuary 9, 2015.	
	L	yiolation	Subtotal \$4,778
Economic Benefit (EB) for	this violation	Statutory Limit	
Estimat	d EB Amount	\$567 Violation Final Pena	Ity Total \$4,778
	This viola	ation Final Assessed Penalty (adjusted fo	or limits) \$4,778

Economic Benefit Worksheet Respondent CRESCENT NJK CORPORATION dba Grapevine Cleaners Case ID No. 49958 Reg. Ent. Reference No. RN104091574 Media Dry Cleaner Years of **Percent Interest** Depreciation Violation No. 1 5.0 15 Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs **EB** Amount Item Description No commas or \$ **Delayed Costs** Equipment 0.00 \$0 \$0 \$0 Buildings 0.00 \$0 \$0 \$0 Other (as needed) 0.00 \$0 \$0 \$0 Engineering/Construction 0.00 \$0 \$0 \$0 Land 0.00 \$0 n/a \$0 Record Keeping System 0.00 \$0 n/a \$0 Training/Sampling 0.00 \$0 n/a \$0 Remediation/Disposal 0.00 \$0 \$0 n/a **Permit Costs** 1-May-2011 5-Nov-2014 3.49 \$567 n/a \$567 Other (as needed) 0.00 \$0 n/a \$0 Estimated cost to register a dry cleaner annually (\$250 per year 2011-2013; \$2,500 for 2014). The Date Notes for DELAYED costs Required is the expiration date of the previous registration and the Final Date is the compliance date. **Avoided Costs** ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) Disposal 0.00 \$0 \$0 Personnel 0.00 \$0 \$0 \$0 Inspection/Reporting/Sampling 0.00 \$0 \$0 \$0 Supplies/Equipment 0.00 \$0 \$0 \$0 Financial Assurance [2] 0.00 \$0 \$0 \$0 ONE-TIME avoided costs [3] 0.00 \$0 \$0 \$0 Other (as needed) 0.00 \$0 \$0 Notes for AVOIDED costs

\$3,250

TOTAL

\$567

Approx. Cost of Compliance

Penalty Calculation Worksheet (PCW) Policy Revision 4 (April 2014) PCW Revision March 26, 2014 12-Jan-2015 Assigned PCW 13-Apr-2015 Screening 20-Jan-2015 **EPA Due** RESPONDENT/FACILITY INFORMATION Respondent CRESCENT NJK CORPORATION dba Grapevine Cleaners Reg. Ent. Ref. No. RN104091574 Facility/Site Region 4-Dallas/Fort Worth Major/Minor Source Minor **CASE INFORMATION** Enf./Case ID No. 49958 Docket No. 2015-0147-MLM-E Media Program(s) Industrial and Hazardous Waste No. of Violations 1 Order Type 1660 Government/Non-Profit No Multi-Media Dry Cleaner Enf. Coordinator Allyson Plantz EC's Team Enforcement Team 7 Admin. Penalty \$ Limit Minimum \$0 **Maximum** \$25,000 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 \$3,750 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. **Compliance History** \$0 0.0% Enhancement Subtotals 2, 3, & 7 Notes No adjustment for compliance history. 0.0% Enhancement Culpability Subtotal 4 \$0 The Respondent does not meet the culpability criteria. Notes Good Faith Effort to Comply Total Adjustments Subtotal 5 -\$375 **Economic Benefit** 0.0% Enhancement* Subtotal 6 \$0 *Capped at the Total EB \$ Amount Total EB Amounts \$60 Estimated Cost of Compliance SUM OF SUBTOTALS 1-7 \$3,375 OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0% \$0 Reduces or enhances the Final Subtotal by the indicated percentage.

Final Penalty Amount

Final Assessed Penalty

Adjustment

Reduction

20.0%

\$3,375

\$3,375

-\$675

\$2,700

Notes

Notes

PAYABLE PENALTY

STATUTORY LIMIT ADJUSTMENT

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Deferral offered for expedited settlement.

Screening Date 20-Jan-2015

Docket No. 2015-0147-MLM-E

Policy Revision 4 (April 2014) PCW Revision March 26, 2014

PCW

Case ID No. 49958

Respondent CRESCENT NJK CORPORATION dba Grapevine Cleaners

Reg. Ent. Reference No. RN104091574

Media [Statute] Industrial and Hazardous Waste

Enf. Coordinator Allyson Plantz

Component	ry <i>Site</i> Enhancement (Subtotal 2) Number of	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	. 0	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)		0%
	Ple	ase Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
runnazanijat <u>atata</u> i N <u>asarg</u> ananga	Adjustment Per	centage (Sub	total 2) [
peat Violator (centage (Sub	total 3) [
L	pry Person Classification (Subtotal 7)	cemage (ous	.0.0.0, [
Satisfactory		centage (Sub	total 7) [
mpliance Histo	·	centage (Sab	local 7) L
Compliance History Notes	No adjustment for compliance history.		
	Total Compliance History Adjustment Percentage (S	Subtotals 2	2 & 7) [

Screening Date		PCW
Kespondent Case ID No.	,	olicy Revision 4 (April 2014)
Reg. Ent. Reference No.		CW Revision March 26, 2014
	Industrial and Hazardous Waste	
Enf. Coordinator		
Violation Number	1	
Rule Cite(s)	30 Tex. Admin. Code §§ 335.62 and 335.504 and 40 Code of Federal Regulation 262.11	5 9
	ZVE.II	
Violation Description	Failed to conduct a hazardous waste determination. Specifically, a hazardous waste determination was not conducted on a 55-gallon drum located at the reaexterior perimeter of the Facility.	11
	Base Pena	lty \$25,000
		approximate and the second
>> Environmental, Proper	ty and Human Health Matrix Harm	
Release	Major Moderate Minor	
OR Actual		
Potential	x x x Percent 15.0%	
>>Programmatic Matrix	Major Moderate Minor	
Falsification	Major Moderate Minor Percent 0.0%	· person
<u> </u>	Tereore 0.070	
and the second s	or the environment will or could be exposed to pollutants that would exceed leve	els
Notes that are p	otective of human health or environmental receptors as a result of the violation.	
<u> </u>		
	Adjustment \$21,7	:50
		\$3,750
***************************************		\$3,750
Violation Events		
Number of V	riolation Events 1 105 Number of violation days	aluk
mark only one with an x	daily weekly monthly quarterly semiannual annual single event	lty \$3,750
	One single event is recommended.	
Good Faith Efforts to Com	abr 10.0%	on \$375
Sour Faith Choris to Com	ply10.0% Reducti Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	ψ ₁ 35/5
dana	Extraordinary	
	Ordinary XIIIII X	
	N/A (mark with x)	
	The Respondent achieved compliance on February 12, 2015, after the Notice of Enforcement dated January 9, 2015.	
control reservoires	Violation Subto	tal \$3,375
Economic Benefit (EB) for	this violation Statutory Limit Test	
Estimat	ed EB Amount \$60 Violation Final Penalty To	tal \$3,375
***************************************	This violation Final Assessed Penalty (adjusted for limit	ts) \$3,375

5.0	Media Violation No.		Hazardous Waste				Percent Interest	Years of Depreciation
Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount	VIOIALIUII IVO.		Significancies				5.0	1!
Delayed Costs		Item Cost	Date Required	Final Date	Yrs	Interest Saved	tergenterior en entre entre entre en entre entre entre entre entre entre entre entre	EB Amount
Equipment Buildings	Item Description							
Equipment Buildings	Nelaved Costs							2005-cole3585524 (50)
Buildings			T I		10.00	\$0	\$0	\$0
Other (as needed)								
Engineering/Construction Land 0.00 \$0 \$0 \$0 \$0 \$0 \$0	-							
Record Keeping System	, ,				0.00			
Training/Sampling	Land				0.00	\$0	n/a	\$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Personnel Personnel Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] O.00	B			**********	0.00	\$0	n/a	\$0
Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Pection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Disposal Supplies/Equipment Financial Assurance [4] ONE-TIME avoided costs [4] Disposal Supplies/Equipment Financial Assurance [4] ONE-TIME avoided costs [4] Disposal Supplies/Equipment Financial Assurance [4] ONE-TIME avoided costs [4] Disposal Supplies/Equipment Financial Assurance [4] Disposal Supplies/Equipment Financial Assurance [4] Disposal Supplies/Equipment Financial Assurance	Record Reeping System	Control of the state of the sta						
Notes for DELAYED costs Stimated cost to conduct a waste determination of the contents of the 55-gallon drum. The Date Required is the investigation date and the Final Date is the compliance date. Avoided Costs						\$0	n/a	\$0
Notes for DELAYED costs Estimated cost to conduct a waste determination of the contents of the 55-gallon drum. The Date Required is the investigation date and the Final Date is the compliance date. Avoided Costs Disposal Personnel Personnel Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Estimated cost to conduct a waste determination of the contents of the 55-gallon drum. The Date (Reporting for one-time avoided costs) 0.00 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	Training/Sampling				0.00			
Required is the investigation date and the Final Date is the compliance date. Avoided Costs Disposal Personnel Spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs Required is the investigation date and the Final Date is the compliance date. Required is the investigation date and the Final Date is the compliance date. Required is the investigation date and the Final Date is the compliance date. 8.	Training/Sampling Remediation/Disposal				0.00	\$0	n/a	\$0
Description	Training/Sampling Remediation/Disposal Permit Costs Other (as needed)				0.00 0.00 0.00 0.29	\$0 \$0 \$60	n/a n/a n/a	\$0 \$0 \$60
Description	Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs	Estimated	l cost to conduct a Required is the I	waste determ nvestigation da	0.00 0.00 0.00 0.29 nation te and	\$0 \$0 \$60 of the contents of the Final Date is th	n/a n/a n/a the 55-gallon drum ne compliance date. for one-time avoid	\$0 \$0 \$60 The Date
Supplies/Equipment 0.00 \$0 \$0 Financial Assurance [2] 0.00 \$0 \$0 ONE-TIME avoided costs [3] 0.00 \$0 \$0	Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	Estimated	l cost to conduct a Required is the I	waste determ nvestigation da	0.00 0.00 0.00 0.29 ination te and enterir	\$0 \$0 \$60 of the contents of the Final Date is th ig item (except f	n/a n/a n/a the 55-gallon drum ne compliance date. for one-time avoid	\$0 \$0 \$60 The Date
Financial Assurance [2] 0.00 \$0 \$0 \$0 ONE-TIME avoided costs [3] 0.00 \$0 \$0 \$0	Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated	l cost to conduct a Required is the I	waste determ nvestigation da	0.00 0.00 0.29 0,29 ination te and enterir	\$0 \$0 \$60 of the contents of the Final Date is the gitem (except of \$0 \$0	r/d n/a n/a n/a the 55-gallon drum ne compliance date. for one-time avoid \$0 \$0	\$0 \$0 \$60 . The Date . Sed costs) \$0 \$0
ONE-TIME avoided costs [3] 0.00 \$0 \$0 \$0	Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated	l cost to conduct a Required is the I	waste determ nvestigation da	0.00 0.00 0.00 0.29 ination te and enterin	\$0 \$0 \$60 of the contents of the Final Date is the gitem (except in \$0 \$0 \$0	n/a n/a n/a the 55-gallon drum ne compliance date. for one-time avoid \$0 \$0	\$0 \$0 \$60 The Date ded costs) \$0 \$0
	Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment	Estimated	l cost to conduct a Required is the I	waste determ nvestigation da	0.00 0.00 0.00 0.29 nation te and enterin 0.00 0.00 0.00	\$0 \$0 \$60 of the contents of the Final Date is the ig item (except of \$0 \$0 \$0 \$0	n/a n/a n/a n/a the 55-gallon drum ne compliance date. for one-time avoic \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$60 The Date See
	Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	Estimated	l cost to conduct a Required is the I	waste determ nvestigation da	0.00 0.00 0.00 0.29 nation te and enterin 0.00 0.00 0.00 0.00	\$0 \$0 \$60 of the contents of the Final Date is the gitem (except of \$0 \$0 \$0 \$0 \$0	the 55-gallon drum ne compliance date. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$60 . The Date . The Date . \$0 \$0 \$0 \$0 \$0 \$0
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Penalty Calculation Worksheet (PCW) Policy Revision 4 (April 2014) PCW Revision March 26, 2014 Assigned 12-Jan-2015 Screening 20-Jan-2015 **EPA Due** PCW 13-Apr-2015 RESPONDENT/FACILITY INFORMATION Respondent CRESCENT NJK CORPORATION dba Grapevine Cleaners Reg. Ent. Ref. No. RN104091574 Facility/Site Region 4-Dallas/Fort Worth Major/Minor Source Minor **CASE INFORMATION** Enf./Case ID No. 49958 Docket No. 2015-0147-MLM-E Media Program(s) Dry Cleaner No. of Violations 4 Order Type 1660 Government/Non-Profit No Multi-Media Industrial and Hazardous Waste Enf. Coordinator Allyson Plantz EC's Team Enforcement Team 7 Admin. Penalty \$ Limit Minimum Maximum \$5,000 Penalty Calculation Section \$3,000 TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. Subtotals 2, 3, & 7 \$0 **Compliance History** 0.0% Enhancement No adjustment for compliance history. Notes 0.0% Enhancement Subtotal 4 \$0 Culpability No The Respondent does not meet the culpability criteria. Notes Good Faith Effort to Comply Total Adjustments Subtotal 5 -\$250 **Economic Benefit** 0.0% Enhancement* Subtotal 6 \$0 *Capped at the Total EB \$ Amount Total FB Amounts \$103 Estimated Cost of Compliance SUM OF SUBTOTALS 1-7 \$2,750 Final Subtotal OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment \$50 Reduces or enhances the Final Subtotal by the indicated percentage. Recommended enhancement to capture the avoided cost of compliance Notes associated with violation no. 4.

STATUTORY LIMIT ADJUSTMENT

Notes

PAYABLE PENALTY

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction

Final Penalty Amount

Adjustment

Final Assessed Penalty

Reduction

20.0%

Deferral offered for expedited settlement.

\$2,800

\$2,800

-\$560

\$2,240

Docket No. 2015-0147-MLM-E

Policy Revision 4 (April 2014) PCW Revision March 26, 2014

Case ID No. 49958

Respondent CRESCENT NJK CORPORATION dba Grapevine Cleaners

Reg. Ent. Reference No. RN104091574 Media [Statute] Dry Cleaner

Enf. Coordinator Allyson Plantz

Compliance History Worksheet

Component	Number of	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
f:		ase Enter Yes or No	T
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment Per	centage (Sub	total 2)
eat Violator (
No	Adjustment Per	centage (Sub	total 3)
npliance Histo	ry Person Classification (Subtotal 7)		
Satisfactory	Performer Adjustment Per	centage (Sub	total 7)
npliance Histo	ry Summary		
Compliance History Notes	No adjustment for compliance history.		
	Total Compliance History Adjustment Percentage (Subtotals 2,	3, & 7)
Compliance I	listory Adjustment		

Respondent CRESCERT INX CORPORATION dus Gropevine Cleaners Respondent CRESCERT INX CR	Screening Date				2015-0147-MLM-E		PCW
Reg. Ent. Reference No. Risto4091574 Media [Statute] Dy Cleaner Enf. Coordinator Allyson Palotz Violation Number Rule Cite(s) 30 Tex. Admin. Code § 337.20(c)(3)(A) Falled to Install a dike or other secondary containment structure around each dry cleaning unit and around each storage area for dry cleaning solteness, dry cleaning waste of dry cleaning solteness, dry cleaning waste of dry cleaning solteness, dry cleaning waste of dry cleaning waster or dry cleaning waster of dry cleaning waster or dry	. Distriction of the control of the		ORPORATION dba	Grapevine Clea	iners		
Media [Statute] Dr. Cleaner Eff. Coordinator Allyson Plantz Violation Number Rule Cite(s) Failed to install a dike or other secondary containers structure around each dry cleaning unit and around each storage area for dry cleaning solvents, dry cleaning waste, or dry cleaning wastewater. Specifically, the Respondent did not have secondary containment for one 55 gallon waste drum, three 5-gallon waste containers and one 5-gallon dry cleaning wastewater container. **Base Penalty** Statutory						PCW Revision	n March 26, 2014
Enf. Coordinator Alyson Plantz Violation Number Rule Cite(s) 30 Tex. Admin. Code § 337.20(e)(3)(A) Falled to install a dike or other secondary containment structure around each dry cleaning solvents, dry cleaning waste, or for yellowing waste or with a secondary containment for one 55-gallon waste drum, three 5-gallon waste or with a secondary containment for one 55-gallon waste drum, three 5-gallon waste or with a secondary containment for one 55-gallon dry cleaning wastewaster container. **Base Penalty** **Special Maria** **Percent** **Base Penalty** **Percent** **Display the wild of the wil							
Violation Number Rule Cite(s) 30 Tex. Admin. Code § 337.20(e)(3)(A)							
Violation Description Falled to install a dike or other secondary containment structure around each dry cleaning unit and around each storage area for dry cleaning solvents, dry cleaning vaste, or dry cleaning wastewater. Specifically, the Respondent did not have secondary containment for one 55-gallon waste drum, three 5-gallon waste containers and one 5-gallon dry cleaning wastewater container. Base Penalty 55,000 >> Environmental, Property and Humac Health Matrix Harm Release Major Moderate Minor Actual Percent 15.0% >> Programmatic Matrix Falsification Major Roderate Minor Percent 0.0% Matrix Notes Human health or the environment will or could be exposed to pollutants that would exceed levels that are protective of human health or environmental receptors as a result of the violation. **Adjustment** **Yiolation Events** Number of Violation Events* Number of Violation Events* **Number of Violation Events** **Incomplete the secondary of the violation days daily secondary and a secondary of the violation days daily secondary and a secondary of the violation days daily secondary and a secondary of the violation days daily secondary and a secondary of the violation days daily secondary and a secondary of the violation days daily secondary and a secondary of the violation days daily secondary and a secondary of the violation days daily secondary and a secondary of the violation days daily secondary and a secondary of the violation days daily secondary and a secondary of the violation date to the January 20, 2015 secondary of the violation date to the January 20, 2015 secondary of the violation date to the January 30, 2015 secondary of the violation date of the violation date. **Free Respondent achieved compliance on February 13, Notes of Enforcement of the Violation Subtotal Secondary of the Respondent achieved compliance on February 13, 2015, after the Notice of Enforcement of the Violation Subtotal Secondary of the Respondent achieved compliance on February 13, 2015, after the Notice of Enforce							
Violation Description Falled to install a dike or other secondary containment structure around each dry cleaning unit and around each storage area for dry cleaning solvents, dry cleaning vaste, or dry cleaning wastewater. Specifically, the Respondent did not have secondary containment for one 55-gallon waste drum, three 5-gallon waste containers and one 5-gallon dry cleaning wastewater container. Base Penalty 55,000 >> Environmental, Property and Humac Health Matrix Harm Release Major Moderate Minor Actual Percent 15.0% >> Programmatic Matrix Falsification Major Roderate Minor Percent 0.0% Matrix Notes Human health or the environment will or could be exposed to pollutants that would exceed levels that are protective of human health or environmental receptors as a result of the violation. **Adjustment** **Yiolation Events** Number of Violation Events* Number of Violation Events* **Number of Violation Events** **Incomplete the secondary of the violation days daily secondary and a secondary of the violation days daily secondary and a secondary of the violation days daily secondary and a secondary of the violation days daily secondary and a secondary of the violation days daily secondary and a secondary of the violation days daily secondary and a secondary of the violation days daily secondary and a secondary of the violation days daily secondary and a secondary of the violation days daily secondary and a secondary of the violation days daily secondary and a secondary of the violation date to the January 20, 2015 secondary of the violation date to the January 20, 2015 secondary of the violation date to the January 30, 2015 secondary of the violation date of the violation date. **Free Respondent achieved compliance on February 13, Notes of Enforcement of the Violation Subtotal Secondary of the Respondent achieved compliance on February 13, 2015, after the Notice of Enforcement of the Violation Subtotal Secondary of the Respondent achieved compliance on February 13, 2015, after the Notice of Enforce	Pule Cite(s)						
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>> Environmental, Property and Human Health Matrix Harm Release Major Moderate Minor Percent 15,0%	Violation Description	cleaning unit and waste, or dry secondary co	d around each stor cleaning wastewate ntainment for one	age area for dr er. Specifically, 55-gallon wast	y cleaning solvents, dry o , the Respondent did not e drum, three 5-gallon w	cleaning : have	
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Number of Violation Events Number of Violation Events Section Number of Violation Events Numb	>> Environmental Prone	rty and Huma	n Health Matr	.			
Percent 15.0% >> Programmatic Matrix Falsification Major Moderate Minor Percent 0.0% Human health or the environment will or could be exposed to pollutants that would exceed levels that are protective of human health or environmental receptors as a result of the violation. Adjustment \$4,250		rty und riunia					
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Matrix Notes Human health or the environment will or could be exposed to pollutants that would exceed levels that are protective of human health or environmental receptors as a result of the violation. Adjustment	>>Programmatic Matrix						
Matrix Notes Human health or the environment will or could be exposed to pollutants that would exceed levels that are protective of human health or environmental receptors as a result of the violation. Adjustment		Major	Moderate Mir	or	function and a second		eli construito de la co
Notes that are protective of human health or environmental receptors as a result of the violation. Adjustment \$4,250 \$750 Violation Events Number of Violation Events 3 \$2 Number of violation days					Percent 0.0%		
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Ordinary x N/A (mark with x) The Respondent achieved compliance on February 13, 2015, after the Notice of Enforcement dated January 9, 2015. Violation Subtotal \$2,025 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$22 Violation Final Penalty Total \$2,062		Common Co	ore NOE/NOV NOE/N	OV to EDPRP/Settle	ement Offer		
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Violation Subtotal \$2,025 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$22 Violation Final Penalty Total \$2,062	To the second se	8 .					
Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$22 Violation Final Penalty Total \$2,062	Your						
Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$22 Violation Final Penalty Total \$2,062	**************************************	i i i i i i i i i i i i i i i i i i i			Violation 9	Subtotal	\$2.025
Estimated EB Amount \$22 Violation Final Penalty Total \$2,062				************************************			333333333333333333333333333333333333333
	Economic Benefit (EB) for	r this violation	1		Statutory Limit	Test	
This violation Final Assessed Penalty (adjusted for limits) \$2,062	Estimal	ted EB Amount		\$22	Violation Final Penal	lty Total	\$2,062
			This violation	Final Assessed	d Penalty (adjusted fo	r limits)	\$2,062

Media Violation No.	Dry Cleaner					Percent Interest	Years of Depreciation
						5.0	1:
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$1,080	30-Oct-2014	13-Feb-2015	0.29	\$1	\$21	\$22
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a	\$0
	Estimated of	cost to install a dik	ce or other seco	0,00 ndary (n/a ture around the 55-	\$0 gallon waste
Notes for DELAYED costs		5-gallon waste co	ontainers and o	ndary one 5-ga	containment structure		gallon waste
Notes for DELAYED costs Avoided Costs	drum, three	5-gallon waste co Required is the i	ontainers and o nvestigation dal	ndary one 5-ga e and enterin	containment struct allon dry cleaning the Final Date is ti ng item (except	ture around the 55-wastewater contained	gallon waste er. The Date
	drum, three	5-gallon waste co Required is the i	ontainers and o nvestigation dal	ndary one 5-ga e and entering	containment struct allon dry cleaning the Final Date is the gitem (except in \$0	ture around the 55-wastewater containent compliance date. For one-time avoid \$0	gallon waste er. The Date led costs) \$0
Avoided Costs	drum, three	5-gallon waste co Required is the i	ontainers and o nvestigation dal	ndary one 5-gate and the second secon	containment structure allon dry cleaning the Final Date is the final better the structure of the structure o	ture around the 55-wastewater containence compliance date. For one-time avoid \$0 \$0	gallon waste er. The Date led costs) \$0 \$0
Avoided Costs Disposal Personnel pection/Reporting/Sampling	drum, three	5-gallon waste co Required is the i	ontainers and o nvestigation dal	ndary one 5-gate and one 5-gate in terms on terms on terms on terms on the following on the	containment structure allon dry cleaning the Final Date is the final better the final bette	ture around the 55-wastewater containe compliance date. for one-time avoid \$0 \$0 \$0 \$0	gallon waste er. The Date led costs) \$0 \$0 \$0
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Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	drum, three	5-gallon waste co Required is the i	ontainers and o nvestigation dal	ndary one 5-gate and one 5-gate and one	containment struct allon dry cleaning the Final Date is th g item (except i \$0 \$0 \$0 \$0	ture around the 55-wastewater contained the compliance date. For one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	gallon waste er. The Date led costs) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	drum, three	5-gallon waste co Required is the i	ontainers and o nvestigation dal	ndary one 5-gare and one	containment structure allon dry cleaning the Final Date is the structure of the structure o	ture around the 55-wastewater contained to compliance date. For one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	gallon waste er. The Date led costs) \$0 \$0 \$0 \$0 \$0
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	Scree	ning Date	20-Jan-2015	Docket No. 2015-0147-MLM	-E	PCW
		tage to the state of the state		ORPORATION dba Grapevine Cleaners	Policy (Revision 4 (April 2014)
		ise ID No.			PCW Re	evision March 26, 2014
Reg.			RN104091574			
		[Statute]				
			Allyson Plantz			
		ion Number Rule Cite(s)				
	·	Rule Cite(s)	30 Tex.	Admin. Code §§ $337.70(a)$ and (b) and $337.72(1)$ ar	id (2)	
MAN THE	Violation	Description	8	n dry cleaner records for a minimum of five years. S d not maintain documentation of dry cleaning solver records and waste disposal manifests.		
				I	Base Penalty	\$5,000

>> EN	vironmen	tai, Propei	rty and Huma	n Health Matrix Harm		
		Release	Major	Moderate Minor		
OR		Actual				
		Potential		Percent 0.0	0%]	
>>Pro	grammat					1
	F	Falsification	Major	Moderate Minor	201	
	L		<u> </u>	Percent 5.	0%	
	F	***************************************			I	
	Matrix		100			
	Notes		100	% of the rule requirement was not met.		
	L					
				Adjustment	\$4,750	
				Adjustment	<u>\$4,730</u>	
						\$250
020000000000000000000000000000000000000			****************************			
Violati	on Events	3				
A			v:-1	Number of violet	riam davia	-
		Number of	Violation Events	1 82 Number of violat	ion days	
		mark only one	daily weekly monthly quarterly	Violation	Base Penalty	\$250
шилининининин бактара		with an x	semiannual annual single event	X	sase remarky	
3	ſ					
	1			One single event is recommended.		
	L					
Good F	Faith Effo	rts to Com	i plv 「	0.0%	Reduction	\$0
				ore NOE/NOV NOE/NOV to EDPRP/Settlement Offer	L	
			Extraordinary [
			Ordinary			
			N/A [(mark with x)		7
			Notes	he Respondent does not meet the good faith criteria this violation.	for	2 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
			L	Viola	tion Subtotal	\$250
					-	Ψ230
Econor	mic Benel	iit (EB) foi	r this violatio	n Statutory Li	mit Test	
		Estim-1	od ER Amount	\$24 Violation Final I	Denalty Total	\$255
		Estimat	ed EB Amount	\$24 Violation Final I	-enaity Total	\$233
inde approximation of the			[[]]]]	This violation Final Assessed Penalty (adjust	ed for limits)	\$255

그 마음 사람들이 얼마 아니라 아니라 아니는 그런 아니라 아니라 얼마를 하면 함께 불비로 보다 없었다.	estrata de compresa de la massa de com	conomic l		Hartestan, vita			
		K CORPORATION	dba Grapevine (Cleaner	rs		
Case ID No.							
eg. Ent. Reference No.							
	Dry Cleaner					Percent Interest	Years of
Violation No.	2		unica in companya di signi di si	41			Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
	no comma or p						i kalifire nella sili kundhela assili (ili kasa)
Delayed Costs					tistationerisieseinkteiti		
Equipment	l	I		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0 \$0	\$0
Other (as needed)		1		0.00	\$0	\$0	\$0
Engineering/Construction		1		0.00	\$0	\$0	\$0
Land		1		0.00	\$0	n/a	\$0
Record Keeping System	\$500	30-Oct-2014	12-Oct-2015	0.95	\$24	n/a	\$24
Training/Sampling		1		0.00	\$0	n/a	\$0
Remediation/Disposal	h			0.00	\$0	n/a	\$0
Permit Costs							
	No. 1995 Committee of the Committee of t			0.00	\$0	n/a	\$0
Other (as needed)	Estimated cos	t to maintain dry	deaning solven	0.00 0.00	\$0 \$0	n/a n/a	\$0 \$0 ests: The Date
Other (as needed) Notes for DELAYED costs	Requ	ired is the investig	gation date and	0.00 t purch the Fir	\$0 nase records and w nal Date is the esti	n/a /aste disposal manif mated date of comp	\$0 ests. The Date liance.
Other (as needed) Notes for DELAYED costs Avoided Costs	Requ	ired is the investig	gation date and	0,00 t purch the Fir	\$0 hase records and what Date is the esting item (except)	n/a /aste disposal manif mated date of comp for one-time avoid	\$0 ests. The Date liance. led costs)
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	Requ	ired is the investig	gation date and	0.00 t purch the Fir enterii 0.00	\$0 hase records and what Date is the esting item (except \$0	n/a vaste disposal manif mated date of comp for one-time avoid	\$0 ests. The Date liance. led costs) \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	Requ	ired is the investig	gation date and	0,00 t purch the Fir enterii 0.00 0.00	\$0 hase records and what Date is the estions item (except \$0 \$0	n/a /aste disposal manif mated date of comp for one-time avoid \$0 \$0	\$0 ests. The Date liance. led costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel espection/Reporting/Sampling	Requ	ired is the investig	gation date and	o,oo t purch the Fir enterii 0.00 0.00	\$0 hase records and what Date is the esting item (except \$0 \$0 \$0	n/a /aste disposal manif mated date of comp for one-time avoid \$0 \$0 \$0 \$0	\$0 ests. The Date liance. led costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	Requ	ired is the investig	gation date and	0.00 t purch the Fir 0.00 0.00 0.00 0.00	\$0 hase records and what Date is the esting item (except \$0 \$0 \$0 \$0 \$0	n/a vaste disposal manificated date of comp for one-time avoid \$0 \$0 \$0 \$0 \$0	\$0 ests. The Date llance. led costs) \$0 \$0 \$0 \$0
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Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	Requ	ired is the investig	gation date and	0,00 t purch the Fir 0.00 0.00 0.00 0.00 0.00	\$0 hase records and what Date is the esting item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/aste disposal manif mated date of comp for one-time avoid \$0 \$0 \$0 \$0	\$0 ests. The Date llance. led costs) \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Requ	ired is the investig	gation date and	0.00 t purch the Fir 0.00 0.00 0.00 0.00 0.00	\$0 hase records and what Date is the esting item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	raste disposal manificated date of composition for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ests. The Date llance. led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel respection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Requ	ired is the investig	gation date and	0.00 t purch the Fir 0.00 0.00 0.00 0.00 0.00	\$0 hase records and what Date is the esting item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	raste disposal manificated date of composition for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ests. The Date llance. led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel aspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Requ	ired is the investig	gation date and	0.00 t purch the Fir 0.00 0.00 0.00 0.00 0.00	\$0 hase records and what Date is the esting item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	raste disposal manificated date of composition for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ests. The Date liance. led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel aspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Requ	ired is the investig	gation date and	0.00 t purch the Fir 0.00 0.00 0.00 0.00 0.00	\$0 hase records and what Date is the esting item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	raste disposal manificated date of composition for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ests. The Date llance. led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Requ	ired is the investig	gation date and	0.00 t purch the Fir 0.00 0.00 0.00 0.00 0.00	\$0 hase records and what Date is the esting item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	raste disposal manificated date of composition for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ests. The Date liance. led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date		Docket No. 2015-0147-MLM-E	PCW
		TION dba Grapevine Cleaners	Policy Revision 4 (April 2014)
Case ID No.			PCW Revision March 26, 2014
Reg. Ent. Reference No.			
Media [Statute]			
Enf. Coordinator			
Violation Number Rule Cite(s)	3		
Rule Cite(S)		30 Tex. Admin, Code § 337.4(h)	
			· ·
Violation Description	receiving/purchasing dry	valid, current TCEQ registration certificate prior to r cleaning solvents. Specifically, the Respondent r out having a valid registration certificate on Nover	eceived
		2012.	***************************************
I		Base	Penalty \$5,000
>> Environmental, Proper	t I Do UI		-
	Harm		
Release OR Actual	Major Moderate	e Minor	
Potential		Percent 0.0%	
>>Programmatic Matrix Falsification	Major Moderate	e Minor	
	x I	Percent 5.0%	
			
Matrix	100% of the	rule requirement was not met.	
Notes			
		******	¢4.750
		Adjustment	\$4,750
			\$250
Violation Events			
			(0.000000000000000000000000000000000000
Number of V	iolation Events 1	1 Number of violation da	iys
	daily		
	weekly		
mark only one	monthly	Violation Page	Penalty \$250
with an x	quarterly semiannual	Violation Base	Penalty \$250
	annual		
	single event x		
	One sing	le event is recommended.	
	-1.: 0.0	0/.	eduction \$0
Good Faith Efforts to Com	Before NOE/NO		eduction\$0
	Extraordinary		
	Ordinary		
	N/A ×	(mark with x)	
	The Respo	indent does not meet the good faith criteria for	
	Notes	this violation.	
	L		
		Violation S	ubtotal \$250
Economic Benefit (EB) for	this violation	Statutory Limit 1	'est
Estimate	d EB Amount	\$0 Violation Final Penalt	ty Total \$255
	This vi	iolation Final Assessed Penalty (adjusted for	limits) \$255

	E	conomic	Benefit	Wo	rksheet		
Case ID No. teg. Ent. Reference No.	49958 RN104091574	K CORPORATION	dba Grapevine	Cleaner	r's	gg eig stellting mang frit heligiblem frit felteln o oktobben och skall	
Media Violation No.	Dry Cleaner 3					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs							
Equipment]		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land		l l		0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling		<u> </u>		0.00	\$0	n/a	\$0
Remediation/Disposal		<u> </u>		0.00	\$0	n/a	\$0
Permit Costs Other (as needed)		<u> </u>		0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs		Economic benef	it is included in	violatio	n no. 1 of the Poli	cy Revision 2 PCW.	
Avoided Costs	ANNUAL	IZE [1] avoided	costs before	enterir	ig item (except i	or one-time avoid	led costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
spection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)		<u> </u>		0.00	\$ 0	\$0	\$0
Notes for AVOIDED costs							

Screening Date		ocket No. 2015-0147-MLM-E	PCW
 State of the second of the seco	CRESCENT NJK CORPORATION dba Gra	pevine Cleaners	Policy Revision 4 (April 2014)
Case ID No.			PCW Revision March 26, 2014
Reg. Ent. Reference No.			
Media [Statute]			
Enf. Coordinator	Allyson Plantz		
Violation Number	4 1		
Rule Cite(s)	30 Tex. Admin.	Code § 337.20(e)(6)	
Violation Description	Failed to conduct weekly inspections	of each secondary containment structu	ıre.
•			
•			
		Base Pe	enalty \$5,000
>> Environmental, Proper	ty and Human Health Matrix		
	Harm	2500010111110101010101010101101101010101	
Release OR Actual	Major Moderate Minor		
OR Actual Potential	x x	Percent 5.0%	ar Ar
rotendar	<u></u>		T. He - Jaco
>>Programmatic Matrix			
Falsification	Major Moderate Minor		
<u> </u>		Percent 0.0%	
Human boal	h or the covironment will or could be a	xposed to significant amounts of polluta	ante
Matrix that would no		iman health or environmental receptors	
Notes	result of the vic		
		Adjustment \$	64,750
***************************************			\$250
Violation Events			
Number of '	iolation Events 1	82 Number of violation days	
	- Condition Events	verilla di vicination daya	Í
	daily		
	weekly		
mark only one	monthly	Walnelow Pope Po	+250
with an x	quarterly x semiannual	Violation Base Pe	enalty \$250
	arinual		
	single event		

One quarterly	event is recommended from the Octob	er 30, 2014 investigation date to the Ja	inuary
	20, 2015 screeni		
L	ACCUMULATION OF THE PROPERTY O		
Good Faith Efforts to Com	ply 10.0%	Red	uction \$25
		to EDPRP/Settlement Offer	
	Extraordinary		
	Ordinary	<u> </u>	
	N/A (mark with		
		eved compliance on February 13, of Enforcement dated January 9,	
***************************************		2015.	
THE THE PARTY OF T	Photographic designation of the control of the cont		
Annanier		Violation Sul	btotal \$225
Economic Benefit (EB) for	this violation	Statutory Limit Te	st
Estimat	ed EB Amount \$	57 Violation Final Penalty	Total \$229
	This violation Fin	al Assessed Penalty (adjusted for li	imits) \$229

Violation No.	. 📭 National de la latera de part					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$500	30-Oct-2014	13-Feb-2015	0.29	\$7	n/a	\$7
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
				0 00			
Permit Costs		1		0.00	\$0	n/a	\$0
Permit Costs Other (as needed)	Estimated co	est to conduct wee	kly inspections	0,00	\$0	n/a	\$0
		investig	ation date and t	0.00 and mathe Fina enterin 0.00	\$0 Sintain associated If Date is the comp	records. The Date Foliance date. for one-time avoid	\$0 Required is the
Other (as needed) Notes for DELAYED costs Avoided Costs		investig	ation date and t	o,oo and ma he Fina enterii 0.00 0.00	\$0 Intain associated I Date is the comp Ing item (except \$0 \$0	records. The Date Foliance date. for one-time avoid \$0 \$0	\$0 Required is the led costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling		investig	ation date and t	o.00 and mathe Fina enterin 0.00 0.00	\$0 sintain associated of the comparison of the	records. The Date Foliance date. for one-time avoid \$0 \$0 \$0 \$0	\$0 Required is the led costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel		investig	ation date and t	0.00 and materinal 0.00 0.00 0.00	\$0 Bintain associated of the comparison of the	records. The Date Foliance date. For one-time avoid \$0 \$0 \$0 \$0 \$0	\$0 Required is the led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	ANNUAL	investig	costs before	0,00 and mahe Fina enterii 0.00 0.00 0.00 0.00	\$0 intain associated of the comparison of the c	records. The Date Rolliance date. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 Required is the Jed costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/Equipment		investig	ation date and t	0.00 and materinal 0.00 0.00 0.00	\$0 Bintain associated of the comparison of the	records. The Date Foliance date. For one-time avoid \$0 \$0 \$0 \$0 \$0	\$0 Required is the led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0



TCEQ Compliance History Report

PUBLISHED Compliance History Report for CN603173543, RN104091574, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, CN603173543, CRESCENT NJK

RN104091574, Grapevine Cleaners

Classification: SATISFACTORY

Rating: 11.25

or Owner/Operator:

Regulated Entity:

CORPORATION

Classification: SATISFACTORY

Rating: 11.25

Complexity Points:

Repeat Violator: NO

CH Group:

14 - Other

Location:

1140 S Main Street, Grapevine, Texas 76051-5543, Tarrant County

TCEQ Region:

REGION 04 - DFW METROPLEX

ID Number(s):

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

DRY CLEANERS REGISTRATION REGISTRATION

DCR13235

TXR000079932

Compliance History Period: September 01, 2009 to August 31, 2014

Rating Year: 2014

Rating Date: 09/01/2014

Date Compliance History Report Prepared: January 21, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: January 20, 2010 to January 20, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Allyson Plantz

Phone: (512) 239-4593

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period?

YES

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

NO

3) If **YES** for #2, who is the current owner/operator?

4) If **YES** for #2, who was/were the prior

N/A

owner(s)/operator(s)?

5) If YES, when did the change(s) in owner or operator N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
CRESCENT NJK CORPORATION	. §	TEAAS COMMISSION ON
DBA GRAPEVINE CLEANERS	§	
RN104091574	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2015-0147-MLM-E

I. JURISDICTION AND STIPULATIONS

- 1. The Respondent owns and operates a dry cleaning facility at 1140 South Main Street in Grapevine, Tarrant County, Texas (the "Facility").
- 2. The TCEQ has general authority concerning the Respondent pursuant to TEX. HEALTH & SAFETY CODE § 374.051. The Facility involves or involved the management of industrial hazardous waste as defined in TEX. HEALTH & SAFETY CODE ch. 361.
- 3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about January 14, 2015.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Ten Thousand Nine Hundred Fifty-Three Dollars (\$10,953) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Two Hundred Sixty Dollars (\$260) of the administrative penalty and Two Thousand One Hundred Ninety Dollars (\$2,190) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

The remaining amount of Eight Thousand Five Hundred Three Dollars (\$8,503) of the administrative penalty shall be payable in 34 monthly payments of Two Hundred Forty-Two Dollars (\$242) each and one monthly payment of Two Hundred Seventy-Five Dollars (\$275). The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms of this Agreed Order.

- 7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
- 9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:
 - a. Renewed the Facility's dry cleaner registration on November 5, 2014;
 - b. Installed secondary containment around the 55-gallon waste drum and the 5-gallon wastewater container on November 16, 2014 and the three 5-gallon waste containers on February 13, 2015;
 - c. Submitted documentation of the hazardous waste determination for the 55-gallon drum on February 12, 2015; and
 - d. Submitted corrected secondary containment inspection logs on February 13, 2015.
- 10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement

- proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have:

- 1. Failed to renew the Facility's registration by completing and submitting the required registration form to the TCEQ for a dry cleaning facility, in violation of 30 Tex. Admin. Code § 337.11(e) and Tex. Health & Safety Code § 374.102, as documented during an investigation conducted on October 30, 2014. Specifically, the Facility's registration certificate expired May 11, 2011.
- 2. Failed to install a dike or other secondary containment structure around each dry cleaning unit and around each storage area for dry cleaning solvents, dry cleaning waste, or dry cleaning wastewater, in violation of 30 Tex. Admin. Code § 337.20(e)(3)(A), as documented during an investigation conducted on October 30, 2014. Specifically, the Respondent did not have secondary containment for one 55-gallon waste drum, three 5-gallon waste containers and one 5-gallon dry cleaning wastewater container.
- 3. Failed to maintain dry cleaner records for a minimum of five years, in violation of 30 Tex. Admin. Code §§ 337.70(a) and (b) and 337.72(1) and (2), as documented during an investigation conducted on October 30, 2014. Specifically, the Respondent did not maintain documentation of dry cleaning solvent purchase records and waste disposal manifests.
- 4. Failed to obtain a valid, current TCEQ registration certificate prior to receiving/purchasing dry cleaning solvents, in violation of 30 Tex. ADMIN. CODE § 337.4(h), as documented during an investigation conducted on October 30, 2014. Specifically, the Respondent received one solvent delivery without having a valid registration certificate on November 29, 2012.
- 5. Failed to conduct weekly inspections of each secondary containment structure, in violation of 30 Tex. Admin. Code § 337.20(e)(6), as documented during an investigation conducted on October 30, 2014.
- 6. Failed to conduct a hazardous waste determination, in violation of 30 Tex. Admin. Code §§ 335.62 and 335.504 and 40 Code of Federal Regulations § 262.11, as documented during an investigation conducted on October 30, 2014. Specifically, a hazardous waste determination was not conducted on a 55-gallon drum located at the rear exterior perimeter of the Facility.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: CRESCENT NJK CORPORATION dba Grapevine Cleaners, Docket No. 2015-0147-MLM-E" to:

Financial Administration Division, Revenue Operations Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order begin maintaining the required dry cleaner Facility records, in accordance with 30 TEX. ADMIN. CODE §§ 337.70 and 337.72; and
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

CRESCENT NJK CORPORATION dba Grapevine Cleaners DOCKET NO. 2015-0147-MLM-E Page 5

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Waste Section Manager Dallas/Fort Worth Regional Office Texas Commission on Environmental Quality 2309 Gravel Drive Fort Worth, Texas 76118-6951

- 3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 7. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and

CRESCENT NJK CORPORATION dba Grapevine Cleaners DOCKET NO. 2015-0147-MLM-E Page 6

may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under Tex. Bus. Org. Code § 1.002.

8. Pursuant to 30 Tex. Admin. Code § 70.10(b) and Tex. Gov't Code § 2001.142, the effective date of this Order is the date it is signed by the Commission or the Executive Director. A copy of this fully executed Order shall be provided to each of the parties.

CRESCENT NJK CORPORATION dba Grapevine Cleaners DOCKET NO. 2015-0147-MLM-E Page 7

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	•
Form Youve	117116 Date
For the executive Director	Date
I, the undersigned, have read and understand the attac agree to the attached Agreed Order on behalf of the ent do agree to the terms and conditions specified therein. accepting payment for the penalty amount, is material	tity indicated below my signature, and I I further acknowledge that the TCEQ, in
I also understand that failure to comply with the Order and/or failure to timely pay the penalty amount, may r	
 A negative impact on compliance history; Greater scrutiny of any permit applications sub 	omitted;
 Referral of this case to the Attorney General's O 	Office for contempt, injunctive relief,
 additional penalties, and/or attorney fees, or to Increased penalties in any future enforcement a 	
 Automatic referral to the Attorney General's Of 	
 and TCEQ seeking other relief as authorized by law. 	
In addition, any falsification of any compliance docum	
Signature Signature	09/30/15. Date
Naheed. Dharani.	Owner.
Name (Printed or typed) Authorized Representative of CRESCENT NJK CORPORATION dba Grapevine Clea	Title
Instructions: Send the original, signed Agreed Order with penal Division, Revenue Operations Section at the addre	ty payment to the Financial Administration